

**Applicant:** Kwak et al.  
**Application No.:** 10/729,332

**REMARKS/ARGUMENTS**

Claims 44-60 are currently pending in this application. The Examiner rejected claims 44-60 under 35 U.S.C. §103.

**35 USC §103(a) – Claims 44-46, 49, 52-55, and 58**

The Examiner rejected claims 44-46, 49, 52-55, and 58 under 35 U.S.C. §103(a) as being unpatentable over McCune, Jr. (U.S. Ref. No. 6,850,736) in view of Cutcher et al. (U.S. Pub. No. 2004/0203403).

The McCune reference discloses a method of receiving a signal from a wireless device, measuring a signal to noise ratio (SNR) of the signal and comparing the SNR to a predetermined value. There is no disclosure, teaching or suggestion in the McCune reference where a first value indicating a total received radio frequency energy level at an antenna connector is determined that is a sum of a desired signal, noise and interference power.

The Cutcher reference discloses measuring a radio signal strength indication (RSSI) and comparing it to a plurality of thresholds. There is no disclosure, teaching or suggestion in the Cutcher reference where a first value indicating a total received radio frequency energy level at an antenna connector is determined that is a sum of a desired signal, noise and interference power.

Accordingly, the Applicants' independent claims 44 and 53 are patentable over the McCune and Cutcher references, whether taken alone or in combination with one another.

Claims 45-46, 49, and 52 depend either directly or indirectly from patentable independent claim 44 and are therefore patentable for at least the same reasons as patentable independent claim 44.

In addition, claim 45 recites that "the histogram is a received power indicator (RPI) histogram" which is not disclosed, taught or suggested in the McCune or Cutcher references. Accordingly, claim 45 is patentable over the McCune and Cutcher references taken alone or in combination with one another for this reason, as well as its dependence from patentable independent claim 44.

Claim 46 recites that "the parameter is a logarithmically scaled value of the signal to noise plus interference value" which is not disclosed, taught or suggested in the McCune or Cutcher references. Accordingly, claim 46 is patentable over the McCune and Cutcher references taken alone or in combination with one another for this reason, as well as its dependence from patentable independent claim 44.

Also, claim 52 recites that "the parameter represents the signal to noise plus interference value at the antenna connector" which is not disclosed, taught or suggested in the McCune or Cutcher references. Accordingly, claim 52 is patentable over the McCune and Cutcher references taken alone or in combination with one another for this reason, as well as its dependence from patentable independent claim 44.

Claims 54-55 and 58 depend either directly or indirectly from patentable independent claim 53 and are therefore patentable for at least the same reasons as patentable independent claim 53.

In addition, claim 54 recites that "the histogram is a received power indicator (RPI) histogram" which is not disclosed, taught or suggested in the McCune or Cutcher references. Accordingly, claim 54 is patentable over the McCune and Cutcher references taken alone or in combination with one another for this reason, as well as its dependence from patentable independent claim 53.

Claim 55 recites that "the parameter is a logarithmically scaled value of the signal to noise plus interference value" which is not disclosed, taught or suggested in the McCune or Cutcher references. Accordingly, claim 55 is patentable over the McCune and Cutcher references taken alone or in combination with one another for this reason, as well as its dependence from patentable independent claim 53.

**Claims 47-48, 50-51, 56-57, and 59-60**

The Examiner rejected claims 47-48, 50-51, 56-57, and 59-60 under 35 U.S.C. §103(a) as being unpatentable over McCune in view of Cutcher as applied to claim 44, and further in view of Runzo (U.S. Publication No. 2003/0022645).

As described above, neither the McCune nor Cutcher references disclose, teach, or suggest a first value indicating a total received radio frequency energy

level at an antenna connector is determined that is a sum of a desired signal, noise and interference power. Furthermore, the Runzo reference fails to cure these deficiencies.

Accordingly, independent claims 44 and 53 are patentable over the McCune, Cutcher and Runzo references, whether taken alone or in any combination with one another.

Since claims 47-48 and 50-51 depend either directly or indirectly from patentable independent claim 44, they are therefore patentable for at least the same reasons as patentable independent claim 44.

Additionally, claim 47 recites that "the parameter is an 8-bit unsigned value" which is not disclosed, taught or suggested in the McCune, Cutcher or Runzo references. Accordingly, claim 47 is patentable over the McCune, Cutcher and Runzo references taken alone or in any combination with one another for this reason, as well as its dependence from patentable independent claim 44.

Claim 48 recites "the parameter value increases monotonically with increasing signal to noise plus interference value" which is not disclosed, taught or suggested in the McCune, Cutcher or Runzo references. Accordingly, claim 48 is patentable over the McCune, Cutcher and Runzo references taken alone or in any combination with one another for this reason, as well as its dependence from patentable independent claim 44.

Likewise, since claims 56-57 and 59-60 depend either directly or indirectly from patentable independent claim 53, they are therefore patentable for at least the same reasons as patentable independent claim 53.

Additionally, claim 56 recites that "the parameter is an 8-bit unsigned value" which is not disclosed, taught or suggested in the McCune, Cutcher or Runzo references. Accordingly, claim 56 is patentable over the McCune, Cutcher and Runzo references taken alone or in any combination with one another for this reason, as well as its dependence from patentable independent claim 53.

Claim 57 recites that "the parameter value increases monotonically with increasing signal to noise plus interference value" which is not disclosed, taught or suggested in the McCune, Cutcher or Runzo references. Accordingly, claim 57 is patentable over the McCune, Cutcher and Runzo references taken alone or in any combination with one another for this reason, as well as its dependence from patentable independent claim 53.

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**Conclusion**

If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing remarks, Applicants respectfully submit that the present application, including claims 44 - 60, is in condition for allowance and a notice to that effect is respectfully requested.

Reconsideration and entry of this amendment is respectfully requested.

Respectfully submitted,

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